



May 16, 2006 CPC

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

06TS0337

LBV Investments, LLC
(St. Ives)

Midlothian Magisterial District
Adjacent to Route 288

- REQUEST:
- I. Tentative Subdivision plat approval of a forty-five (45) lot subdivision.
 - II. Approval to clear within the limits of the 200-foot sound setback along Route 288 to locate a focal point.

RECOMMENDATION

Staff recommends approval of the forty-five (45) lot tentative with conditions for the following reason:

The tentative complies with the Subdivision Ordinance.

Staff recommends approval of the request to clear in the 200-foot sound setback with conditions for the following reason:

The location of the focal point is designed to encourage neighborhood use, and identify it as a 'focal point'.

CONDITIONS

1. The tentative shall be revised and resubmitted for administrative approval in order to address Ordinance requirements as follows:

- a. Label the buffers along North Otterdale Road as open space per Proffered Condition 2. (P)
- b. Provide documentation showing the exact limits of clearing. (P)
- c. Per Proffered Condition 5 indicate the materials for the hardscaping of the driveways. (P)
- d. Street trees – In conjunction with the construction plans, provide 2 copies of the street tree landscape plans for review. Ensure there is no conflict between sidewalk locations, street trees and any proposed lighting. (P)
- e. Per Section 17-38(d)(3) provide all owner's names, gpin numbers, subdivision names and zoning of the adjacent properties. (P)
- f. As per Section 17-38(d)(4) ensure all existing on and off site easements are shown that affect this property. (P)
- g. Show the boundaries that meet the .75 acres required. (P)
- h. Show the limits of clearing. (P)
- i. With respect to road names, St. Ives Way is a road name duplication with the St. Ives Drive. Road name duplications are only permitted when a cul-de-sac comes off of a road of the same name. (EE)
- j. Please clarify the X's on St. Ives Way annotated as "break point." (EE)
- l. For location purposes, please identify Latham Boulevard and the adjacent parcel under the ownership of Frances Jarrell Construction is actually Lot 1, A Resubdivision of Open Space, Rosemont Section F. (EE)
- m. An assessment of the topography in relation to the lot layout has revealed several areas of storm water concentration which rein potential conflict with the desire not to have storm drainage problems related to the development of the house and lot. These are engineering issues which should be addressed by the construction plans and not left to the individual builders to deal with. The physical "low" of these drainage corridors should be field located and appropriate engineering proposals with respect to filling, grading, drainage storm sewer and building envelope locations should be made a part of the construction plans. These areas areas follows:
 1. The storm drainage corridor which begins upstream of lot 21, passes through lots 22 through 28 before reaching the wetlands.

2. The drainage corridor which begins in lot 38 and accumulates the storm drainage from lots 32 through lot 44 concentrating through the center of lot 45. (EE)
- n. The RPA as it passes through the lot 1 resub of open space of Rosemont Section F is not shown consistent with the official RPA delineation as shown on the recorded plat. Please either delete this RPA information or have it coincide with that which is shown on the official record plat of this lot. (EE)
- o. The confirmed wetlands as shown on the plat of the Jarrell property extend into the lot to a considerably greater extent than shown on this tentative plat. The topography on the St. Ives side of Michaux Creek appears to be even flatter making the likelihood of wetlands extent greater than what is shaded. Has this delineation been confirmed by the Corps? Please have Chris look at this before he writes the below discussed letter. (EE)
- p. Please provide a letter from Chris Dodson of the Timmons Group regarding the accuracy of the wetland's delineation portrayed on the tentative plan that is the basis for the RPA-limits establishment. Suggested wording is, "I have viewed the tentative plan for St. Ives dated March 13, 2006 by Balzer and Associates and find that it portrays an accurate representation of my field delineation of the wetlands located adjacent to Michaux Creek and the other unnamed perennial tributary to Michaux Creek." (EE)
- q. The CBPA note number 2 is not complete at this time. A letter of exception request to the Director of Environmental Engineering Department is required. Upon approval of that exception to utilize an off site BMP, the responsible party for that BMP must provide this department with documentation that he has allotted that poundage to the St. Ives project. (EE)
- r. The tentative plat shows no floodplain information for Michaux Creek and the unnamed tributary. The FEMA floodplain information available is only on Michaux Creek and it is a "approximated method" floodplain. The term "approximated method" is a euphemism for a floodplain established by a guess without the support of any hydrologic or hydraulic studies. The hydrologic and hydraulic studies for this project will be considerable and further complicated by the crossing of Michaux Creek and a substantial tributary by the extension of North Otterdale Road. (EE)

- s. On the revised tentative plan, graphically show the proposed 8-inch water line along St. Ives Drive connecting to the existing sixteen (16) inch water line along North Otterdale Road. (U)
 - t. Please include a note in reference to the sewer design along St. Ives Dr. (U)
2. Per Section 8-4 of the Erosion Control Ordinance, prior to the issuance of a Land Disturbance Permit, the Environmental Engineering Department shall require copies of applicable correspondence from the USACOE so that it may be determined that all wetlands permits have been received. (EE)
 3. The pedestrian-access facilities design as shown on the tentative shall be included in the road and drainage plans that must be approved by both VDOT and the Environmental Engineering Department. Road right of way shall be wide enough to encompass the pedestrian-access facilities if the sidewalks meet State criteria. (EE)
 4. Any timbering that is to occur as the first phase of infrastructure construction will be incorporated into the project's erosion-and-sediment control plan narrative and will not commence until the issuance of a land disturbance permit for subdivision construction and proper installation of erosion control measures. (EE)
 5. The USACOE jurisdictional wetlands shall be shown on the construction plans and subdivision plat. (EE)
 6. The subdivider shall post signs demarking the limits of the RPA so builders and homeowners may be informed as to the limitations imposed on these areas. Specific plans for the exact number and placement of the signs shall be approved by the Environmental Engineering Department. (EE)
 7. The erosion and sediment control plan for the project shall call for the placement of polyethylene fence or its equivalent in accordance with STD & SPEC 3.01 of the Virginia Erosion and Sediment Control Handbook along the RPA limits prior to the issuance of a land disturbance permit. (EE)
 8. Building envelopes as shown on the tentative plan along with any other directed by the Environmental Engineering Department shall be placed on the construction plans and subdivision plat. (EE)
 9. The floodplain as shown on the approved construction plans and the recorded subdivision plat shall be the result of hydrologic and hydraulic engineering methods and assumptions which are approved by the Environmental Engineering Department. (EE)

10. The achievement of adequate surface drainage on lots will be the responsibility of the subdivider. The sale of lots does not absolve the subdivider from this responsibility prior to State acceptance of the streets and for a period of one year after the streets are taken into the State system. (EE)
11. Prior to recordation, there shall be approved construction plans, adequate bonding, and dedicated seventy (70) foot right of way from the terminus of North Otterdale Road in Rosemont through St. Ives, Brook Creek Crossing and to the point where Otterdale Road is state maintained. (EE)
12. This office may require redesign or modifications to the proposed sewer layout, as shown on the tentative plan, once the field work and final design has been completed by the engineer and shown on initial construction plan submittal for review and approval. (U)
13. Hydrant locations shown on the tentative plan may not be in acceptable location. Hydrant locations will be evaluated at the time of construction plan review. (F)
14. Section 19-559 shall be complied with. Homeowners association with mandatory membership will be required. Ownership and maintenance responsibilities of the association shall be stated on all final check and record plats. The subdivider shall submit draft bylaws and covenants of the association to the Planning Department and County Attorney's office in conjunction with the final check plat. The subdivider shall also incorporate the association with the state corporation commission. The approved bylaws and covenants shall be recorded prior to or in conjunction with the record plat. The recordation information shall be shown on the record plat and each subsequent final check and record plat. The subdivider shall fund the first year operational expenses of the association. (P)
15. Standard conditions. (P)
16. All setbacks around cul-de-sacs shall be uniform. (P)
17. All proffered conditions regarding house size from Case 05SN0329 shall be noted on the final check and record plats. (P)
18. All buffers and the 200 foot sound setback along Route 288 shall be recorded in open space by Proffer 18 of 05SN0329. (P)
19. Additional pavement shall be constructed along Otterdale Road Extended at St. Ives Drive to provide a left and a right turn lane. (T)
20. It will be the responsibility of the subdivider to have the necessary road right of way for Otterdale Road Extended across County owned property designated as road right of way prior to road construction plan approval. (T)

REVIEW NOTES:

- A. The use of the public water and sewer system is required by Ordinance. (U)
- B. It is the subdivider's responsibility to see that this proposed development complies with the Chesterfield County Fire Department's required fire flow of 1000 gpm at 20 psi residual. (U)
- C. The maximum density permitted on this single access development shall be a total of fifty-one (51) residential lots. (P)
- D. Standard conditions. (P)
- E. Buffers shall comply with Section 17-70. (P)
- F. The final check and record plats shall note that there shall be no explicit rights or access to the pond located Tax ID 742-701-3196 given to the lots recorded herein. (P)
- G. All improvements to existing transportation facilities required as a result of the impact of this project shall be the responsibility of the developer. Approval of detailed construction plans is a prerequisite to issuance of a land use permit allowing access onto and construction within state maintained rights of way. It should be noted that plan approval at this time does not preclude the imposition of additional requirements at construction plan review. (VDOT)
- H. All right of way widths as shown are preliminary and should be so noted. Actual widths shall be determined by roadway design as stipulated in Appendix B of the 2005 Subdivision Street Requirements (SSR). (VDOT)
- I. The design of any/all proposed landscape embellishments (i.e., landscaping, hardscaping, signage, lighting, irrigation, fencing, etc.) to be installed within state maintained rights of way must be submitted to VDOT for review in conjunction with the initial submittal of road construction plans. VDOT approval of said plan shall be granted prior to installation. Failure to comply with these requirements may result in the removal of said embellishments prior to State acceptance. (VDOT)
- J. All roads to be designed and constructed per current VDOT standards and specifications. (VDOT)
- K. The construction of transportation improvements on roadways which are defined as arterials or collectors in Chesterfield County's Thoroughfare Plan, and all internal roads requires the implementation of a comprehensive inspection program

to insure compliance with VDOT standards and specifications. Inspection services shall be provided utilizing one of the following options:

1. The applicant may retain the services of a licensed geotechnical engineer to perform the required inspection and testing, or,
2. The applicant may request that VDOT provide inspection services through the establishment of an accounts receivable with the contractor responsible for providing all required material testing.

Either option A or B may be used for each category of road at the preference of the developer. (VDOT)

- L. The design of private entrance access along curb and gutter streets shall be in accordance with Appendix B of the 2005 SSR. (VDOT)
- M. The design and construction of any pedestrian facilities for the proposed VDOT maintenance shall be in accordance with Appendix B of the 2005 SSR. (VDOT)
- N. A VDOT land use permit for any and all required transportation improvements on North Otterdale Road shall be satisfactorily completed prior to recordation of any lots within this subdivision. (VDOT)

GENERAL INFORMATION

Applicant/Owner:

LBV Investments, LLC

Location:

This request lies in a Residential (R-12) District on a 26.35 acre parcel lying approximately 4,035 feet from the intersection of N. Otterdale Road and Wyldrose Drive, also fronting approximately 750 feet on Proposed N. Otterdale Road Extension approximately 400 feet north of its intersection with Paddle Creek Drive. The property is adjacent to Route 288. Tax ID 718-713-4861 (Sheet 25).

Existing Zoning and Land Use:

R-12 CUPD – Vacant

Size:

26.35 acres

Adjacent Zoning and Land Use:

North - R-25 with Conditional Use Planned Development; Vacant
South - R-9 with Conditional Use Planned Development; Vacant
East - R-25 and A; Single family residential.
West - R-15; Single family residential

BACKGROUND

In accordance with the Chesterfield County Subdivision Ordinance Section 17-32 (1) a.1, the subdivider elected to submit this tentative for review and approval under the Planning Commission review and approval procedure. Section 17-32 (1) a. 1. states:

Unless otherwise required, completed applications and plats submitted by subdividers to the director of planning, shall be reviewed and approved under the administrative review and approval procedure set forth in subsection (a) of this section unless the subdivider elects to submit the completed application and plat for review and approval under the planning commission review and approval procedure set forth in subsection (b) of this section.

On February 21, 2006, the Planning Commission recommended approval of Case 05SN0329 to rezone 50.7 acres from agricultural to Residential (R-12) with Conditional Use Planned Development. (See attached map) Subsequently, the Board of Supervisors approved this case on March 8, 2006. Proffered Condition 8 of Case 05SN0329 provides for the establishment of a focal point on a minimum .75 acre site within this development. However, the proffer fails to guarantee the exact location of the focal point. The applicant is proposing to locate the focal point within the limits of the 200 foot sound setback along.

Section 17-70 (d) of the Subdivision Ordinance provides for Planning Commission approval to clear with the 200 foot sound setback. This section reads as follows:

Adjacent to limited access streets, a setback distance of 200 feet, exclusive of required yards, shall be provided from the limited access street right-of-way, unless a noise study demonstrates that a lesser distance is acceptable as approved by the director of transportation. Natural vegetation shall be retained within the setback area unless removal is required to install noise attenuation measures or is approved by the planning commission.

The subject property is located along the east line of Route 288 and lies adjacent to the north of proposed Brookcreek Crossing Subdivision. Staff has reviewed the proposed development consisting of forty-five (45) residential lots with a proposed focal point shown within the 200 foot sound setback and adjacent to Route 288. (See Exhibit A) Staff concludes that the tentative meets the requirements of the Subdivision Ordinance. Additionally, the proposed location of the focal point is satisfactory to encourage neighborhood gathering, and is positioned as to function as a focus in this development. The focal point will be located at the base of a steep grade at the

end of the main road in the development. The applicant is providing sidewalks throughout the development which will encourage neighborhood interaction by allowing residents safe alternative to access the focal point area. The gathering place will include at a minimum tables and benches in a minimally cleared area which will function as a park like setting. The applicant has dedicated .75 acres in this area and will provide access from the proposed public right of way within the development.

The applicant provided a conceptual plan showing the location and contents of the focal point. (See Exhibit B), but failed to illustrate the exact limits of the clearing required to install the focal point. Staff noted that the plan did not adequately address the limits of the clearing in the 200 foot sound setback and requested additional information from the applicant. As of the date of this report that information was not yet available.

CONCLUSIONS

The intent of a focal point is to provide a gathering area for the residents within the development. Public gathering places and community focal points contribute positively to any development's image, and serve to provide a sense of community. The applicant's request to clear in the 200 foot sound setback is reasonable to provide a gathering area for the residents of the development. Neighborhood interaction will be encouraged with the provision of sidewalks throughout the development.

Staff recommends approval of Request I for tentative approval of a forty-five (45) lot subdivision subject to the conditions and review notes as set forth in this report.

Staff recommends approval of Request II to clear a minimum of .75 acres within the 200 foot sound setback for the provision of a focal point to function as a park like setting. This approval is recommended with the conditions and notes as set forth in this report.

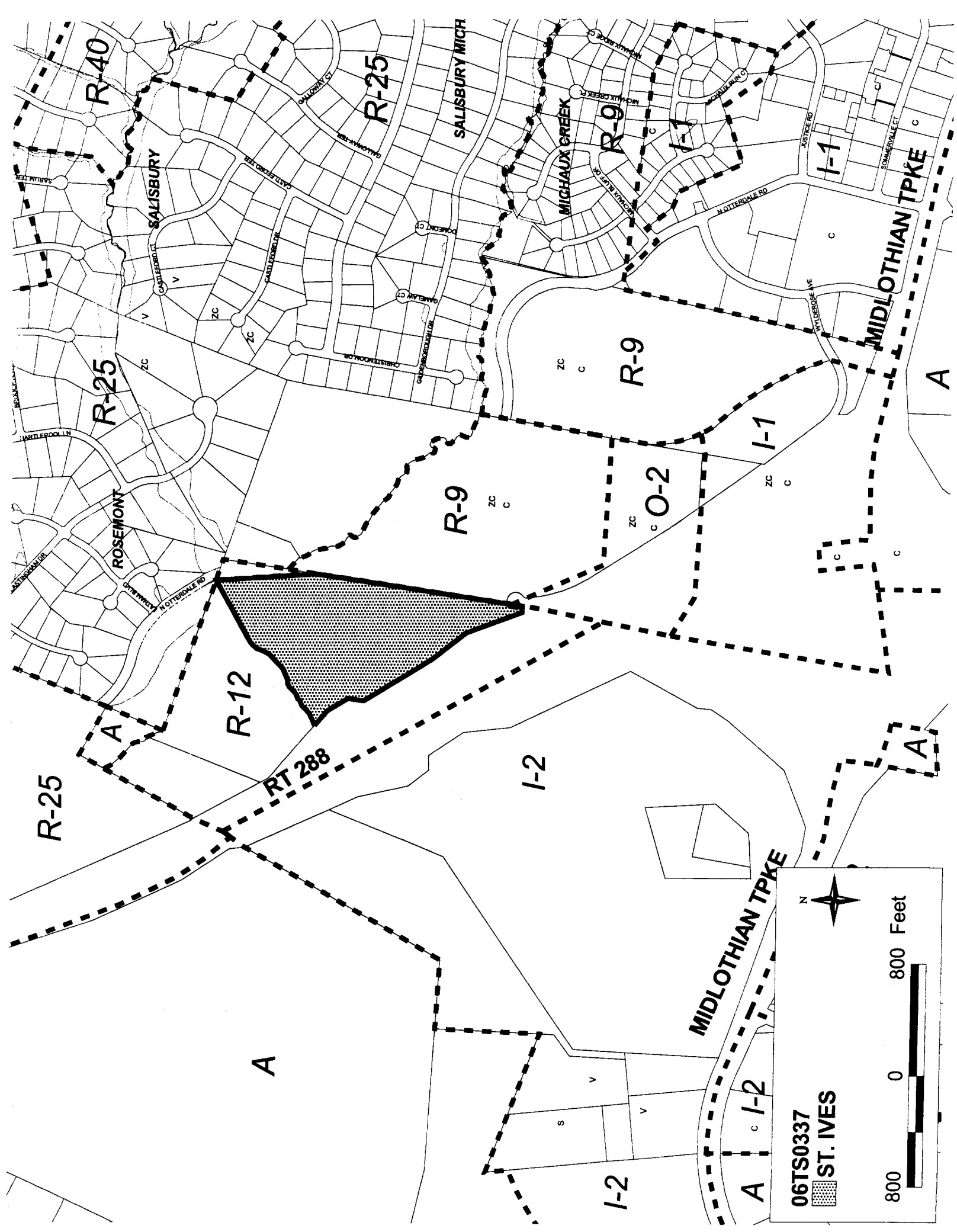


Exhibit A

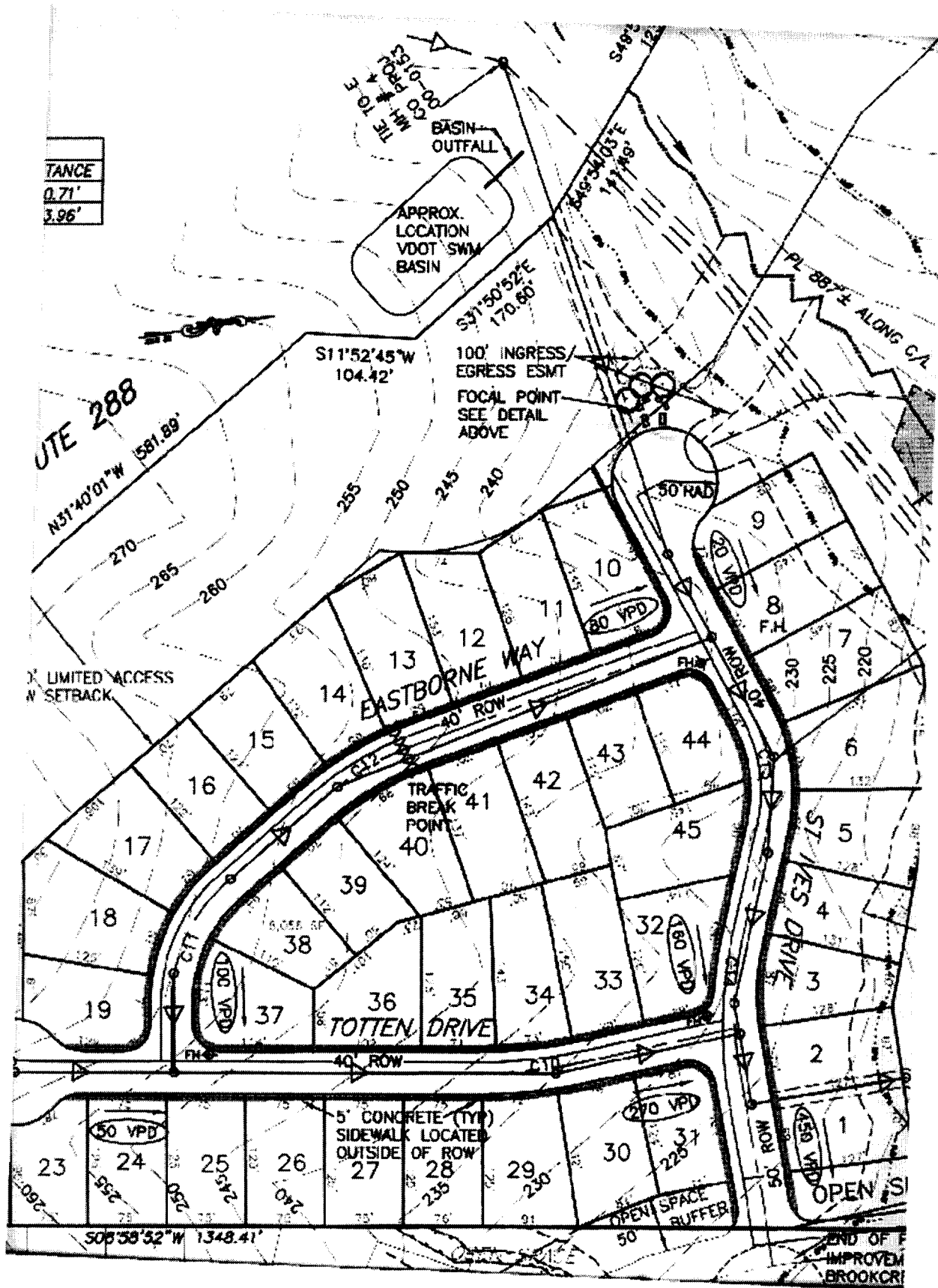
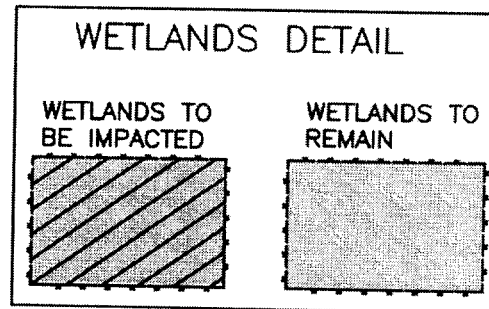
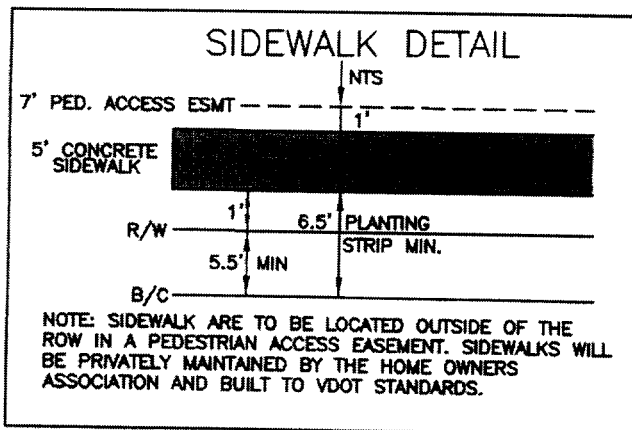
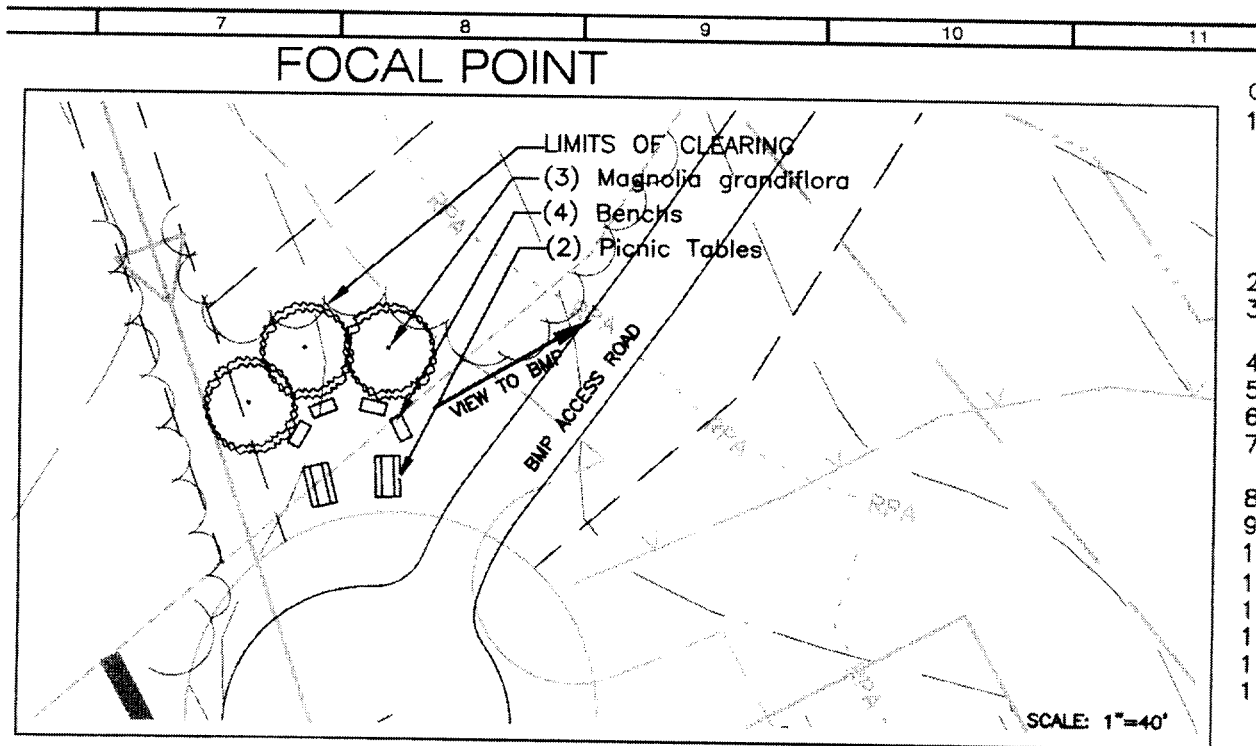


Exhibit B

Conceptual Plan Focal Point located adjacent to Route 288 within the 200-foot sound setback.



06TS0337 St Ives Focal Point